

In addition, the Applicants respectively submit that searching diabetic lower limb ischemic disease, diabetic ischemic neuropathy and diabetic ischemic myocardial infarction would not be an undue burden on the Examiner. Thus, reconsideration and withdrawal of the requirement for an election of species is respectfully requested.

CONCLUSION

If any minor matters remain to be addressed prior to examination, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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By

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Portland, Oregon 97204

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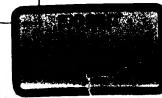
TECH CENTER 1600/2900

International application No.

PCT/JP00/07502

| Box 1 Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet) This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons. 1 |
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| 1 🔀 Claims Nos : 9-16 |
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| |
| Claims 9 to 16 pertain to methods for treatment of the human body by surgery |
| or therapy, as well as diagnostic methods, and thus relate to a subject matter |
| which this International Searching Authority is not required to search. |
| ORIGINALLY FILE |
| 2. Claims Nos.: |
| because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically: |
| extent that no meaning for international scarcin can be earlied out, specificany. |
| |
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| |
| 3 Claims Nos.: |
| because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a). |
| Box 11 Observations where unity of invention is lacking (Continuation of item 2 of first sheet) |
| This International Searching Authority found multiple inventions in this international application, as follows: |
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| 1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable |
| claims. |
| |
| 2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee. |
| of any additional rec. |
| 3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers |
| only those claims for which fees were paid, specifically claims Nos.: |
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| 4. No required additional search fees were timely paid by the applicant. Consequently, this international |
| search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos |
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| Remark on Protest The additional search fees were accompanied by the applicant's protest |
| No protest accompanied the payment of additional search fees. |

Form PCT/ISA/210 (continuation of first sheet (1)) (July 1992)



INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP00/07502

| A. CLASSIFICATION OF SUBJECT MATTER Int.Cl ⁷ A61K48/00, 38/22, 9/127, A61P9/10, 3/10 | | | | | | |
|--|---|---|-----------------------|--|--|--|
| According to International Patent Classification (IPC) or to both national classification and IPC | | | | | | |
| | | | | | | |
| B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) Int.Cl ⁷ A61K48/00, 38/22, 9/127, A61P9/10, 3/10 | | | | | | |
| | on searched other than minimum documentation to the | | | | | |
| | ata base consulted during the international search (name INE (STN), BIOSIS (STN), CA (STN) | e of data base and, where practicable, sear | ch (ems used) | | | |
| C DOCU | MENTS CONSIDERED TO BE RELEVANT | | | | | |
| Category* | Citation of document, with indication, where ap | | Relevant to claim No. | | | |
| х | ERIC Van Belle et al., "Potenti of Scatter Factor/Hepatocyte Gr Induction of Vascular Endotheli Circulation, (1998) Vol.97, pp. | 1-8,17-21 | | | | |
| х | DERRICK S.G. et al., "Scatter factormation in vivo", Proc. Natl. Vol.90, pp.1937-1941 | 1-8,17-21 | | | | |
| X | AOKI, Motokuni et al., "Beneficial angiogenesis induced by over-expression of human hepatocyte growth factor (HGF) in non-infarcted and infarcted myocardium: Potential gene therapy for myocardial infarction", Circulation, (1998) Vol. 98, No. 17, pp.I321 | | | | | |
| х | UEDA, Hideki et al., "In vivo hepatocyte growth factor attent reperfusion injury in the heart of HGF in endogenous myocardial Circulation, (1997) Vol. 96, No | 1-8,17-21 | | | | |
| X Furthe | r documents are listed in the continuation of Box C. | See patent family annex. | | | | |
| "A" docum conside "E" carlier date "L" docum cited to special "O" docum means "P" docum than th | categories of cited documents, ent defining the general state of the art which is not red to be of particular relevance document but published on or after the international filing ent which may throw doubts on priority claim(s) or which is o establish the publication date of another citation or other reason (as specified) ent referring to an oral disclosure, use, exhibition or other ent published prior to the international filing date but later or priority date claimed actual completion of the international search | "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art document member of the same patent family Date of mailing of the international search report | | | | |
| 22 [| December, 2000 (22.12.00) | 16 January, 2001 (16 | | | | |
| Name and mailing address of the ISA/ Japanese Patent Office | | Authorized officer | | | | |
| Facsimile No. | | Telephone No | | | | |

INTERNATIONAL SEARCH REPORT

international application No.

PCT/JP00/07502

| `ategory* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. | |
|-----------|--|-----------------------|--|
| X | WO, 97/14307, A1 (ST. ELIZABETH'S MEDICAL CENTER OF BOSTON, INC.), 24 April, 1997 (24.04.97) & JP, 11-514366, A & US, 6121246, A & EP, 883343, A1 & AU, 9674548, A | 1-8,17-21 | |
| X | WO, 99/36103, A1 (MCGILL UNIVERSITY), 22 July, 1999 (22.07.99) (Family: none) | 1-3,5-8,17, 18,20,21 | |
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国際調查報告

国際出願番号 PCT/JP00/07502

| Α. | 発明の属す | る分野の分類 | (国際特許分類 | (IP) | C) |) |
|----|-------|--------|---------|------|----|---|
|----|-------|--------|---------|------|----|---|

Int. C17 A61K48, 00, 38/22, 9/127, A61P9/10, 3/10

B. 調査を行った分野

調査を行った最小限資料(国際特許分類(IPC))

Int. C1 A61K48/00, 38/22 9/127, A61P9/10, 3/10

最小限資料以外の資料で調査を行った分野に含まれるもの

国際調査で使用した電子データベース (データベースの名称、調査に使用した用語)

MEDLINE (STN), BIOSIS (STN), CA (STN)

| 引用文献の カテゴリー* | ると認められる文献 | 関連する 請求の範囲の番号 |
|-----------------|--|------------------|
| Х | ERIC Van Belle et al., "Potentiated Angiogenic Effect of Scatter Factor/Hepatocyte Growth Facter via Induction of Vascular Endothelial Growth Factor", Circulation. (1998) Vol. 97, p. 381-390 | 1-8, 17-21 |
| X | DERRICK S.G. et al., "Scatter factor induces blood vessel for mation in vivo", Proc. Natl. Acad. Sci. USA, (1993) Vol. 90, p. 1937-1941 | 1-8, 17-21 |

x C欄の続きにも文献が列挙されている。

□ パテントファミリーに関する別紙を参照。

- * 引用文献のカテゴリー
- A」特に関連のある文献ではなく、一般的技術水準をポす もの
- [E] 国際出願目前の出願または特許であるが、国際出願目 以後に公表されたもの
- 「L、優先権主張に疑義を提起する文献又は他の文献の発行 日若しくは他の特別な理由を確立するために引用する 文献(理由を付す)
- 「〇」口頭による開示、使用、展示等に言及する文献

郵便番号 1 0 0 - 3 9 1 5 東京都千代田区霞が関三丁日 4 番 3 号

「P」国際出願目前で、かつ優先権の主張の基礎となる出願

- の日の後に公表された文献
- 「丁」国際出願日又は優先日後に公表された文献であって 出願と矛盾するものではなく、発明の原理又は理論 の理解のために引用するもの
- 「X」特に関連のある文献であって、当該文献のみで発明 の新規性又は進歩性がないと考えられるもの
- Y」特に関連のある文献であって、当該文献と他の1以 上の文献との、当業者にとって自則である組合せに よって進歩性がないと考えられるもの

電話番号 03-3581-1101 内線 3492

「&」同一パテントファミリー文献

 国際調査を完了した日
 22.12.00
 国際調査報告の発送日
 16.01.01

 国際調査機関の名称及びあて先日本国特許庁(ISA/JP)
 特許庁審査官(権限のある職員) 模本 佳予子
 4 P 9638

様式PCT/ISA/210 (第2ページ) (1998年7月)

| 1-3 | - | -102 | - | +0 | 4 |
|----------------|------|------|----|-----|---|
| [1 | جيون | | 17 | YN: | 告 |

国際出願番号 PCT/JP00/07502

| C (続き) . | 関連すると認められる文献 | | |
|--------------------------|--|---------------------|-----------------------------|
| 引用 文献 の カテゴリー* | 引用文献名 及び一部の箇所が関連するときは、 | 関連する 請求の範囲の番号 | |
| X | AOKI, Motokuni et al., "Beneficial angiogenesis induced by over-expression of human hepatocyte growth factor (HGF) in non-infarcted and infarcted myocardium: Potential gene thera py for myocardial infarction", Circulation, (1998) Vol. 98, No. 17, p. I321 | | 1-8, 17-21 |
| X | UEDA, Hideki et al., "In vivo gene transfection of hepatocyte growth factor attenuates ischemia-reperfusion injury in the heart: Evidence for a role of HGF in endogenous myocardial protection", Circulation, (1997) Vol. 96, No. 8, p. 1619 | | 1-8, 17-21 |
| X | WO, 97/14307, A1 (ST. ELIZABETH'S MEDICAL CINC.) 24.4月.1997(24.04.97) &JP, 11-514366, A &US, 6121246, A &EP, 883343 | | 1-8, 17-21 |
| X | WO,99/36103,A1 (MCGILL UNIVERSITY) 22.7月 (ファミリーなし) | . 1999 (22. 07. 99) | 1-3, 5-8, 17, 18, 20, 21 |
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国際調査報告

国際出願番号 PCT/JP00/07502

| 第1欄 請求の範囲の一部の調査ができないときの意見(第1ページの2の続き) | | | | | |
|---|-----|--|--|--|--|
| 法第8条第3項 (PCT17条(2)(a)) の規定により、この国際調査報告は次の理由により請求の範囲の一部について作成しなかった。 | | | | | |
| 1. x 請求の範囲 9-16 は、この国際調査機関が調査をすることを要しない対象に係るものであるつまり、 | , | | | | |
| 請求の範囲9-16は手術又は治療による人体の手術又は治療による処置方法及び診断方法であり、この国際調査機関が調査をすることを要しない対象に係るものである。 | | | | | |
| 2. 計球の範囲 は、有意義な国際調査をすることができる程度まで所定の要件を満たしてない国際出願の部分に係るものである。つまり、 | , , | | | | |
| 3. 請求の範囲 は、従属請求の範囲であってPCT規則6.4(a)の第2文及び第3文の規定 従って記載されていない。 | E | | | | |
| 第1欄 発明の単一性が欠如しているときの意見 (第1ページの3の続き) | | | | | |
| 次に述べるようにこの国際出願に二以上の発明があるとこの国際調査機関は認めた。 | | | | | |
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| 1 出願人が必要な追加調査手数料をすべて期間内に納付したので、この国際調査報告は、すべての調査可能な調 の範囲について作成した。 | 冰 | | | | |
| 追加調査手数料を要求するまでもなく、すべての調査可能な請求の範囲について調査することができたので、 加調査手数料の納付を求めなかった。 | 追 | | | | |
| 3. 出願人が必要な追加調査手数料を一部のみしか期間内に納付しなかったので、この国際調査報告は、手数料の付のあった次の請求の範囲のみについて作成した。 | 納 | | | | |
| 4. 出願人が必要な追加調査手数料を期間内に納付しなかったので、この国際調査報告は、請求の範囲の最初に請されている発明に係る次の請求の範囲について作成した。 | 找 | | | | |
| 追加調査手数料の異議の申立てに関する注意 | | | | | |
| □ 追加調査手数料の納付と共に出願人から異議申立てがあった。□ 追加調査手数料の納付と共に出願人から異議申立てがなかった。 | | | | | |